



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/761,101
Filing Date	01/20/2004
First Named Inventor	Donald R. Loveday
Group Art Unit	1713
Examiner Name	Cheung, William K.
Total Number of Pages in This Submission	83
Attorney Docket Number	1999U026.RE.US

## ENCLOSURES (check all that apply)

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><i>In duplicate</i>  | <input type="checkbox"/> Assignment Papers<br>(for an Application)                            | <input type="checkbox"/> After Allowance<br>Communication to Group                               |
| <input checked="" type="checkbox"/> Preliminary Amendment / Response<br>Response to Office Action mailed<br>09/02/2004 | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> Appeal Communication to<br>Board of Appeals and<br>Interferences        |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Licensing-related Papers   | <input type="checkbox"/> Appeal Communication to<br>Group<br>(Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> Affidavits/declaration(s)   | <input type="checkbox"/> Petition Routing Slip (PTO/SB/69)<br>and Accompanying Petition       | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Extension of Time Request   | <input type="checkbox"/> To Convert a Provisional<br>Application                              | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Form-1449   | <input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence<br>Address | <input checked="" type="checkbox"/> Additional Enclosure(s)<br>(please identify below):          |
| <input type="checkbox"/> Supplemental Information Disclosure<br>Statement  | <input checked="" type="checkbox"/> Terminal Disclaimer<br>Two (2)                            | 1. <u>Translation of previously<br/>submitted Hei 10-330412</u>                                  |
| <input type="checkbox"/> 1449 Form   | <input type="checkbox"/> Notice to File Corrected<br>Application Papers                       | 2. <u>Postcard</u>   |
| <input type="checkbox"/> Copies of Cited References  | <input type="checkbox"/> Substitute Specification   |  |
| <input type="checkbox"/> Certified Copy of Priority<br>Documents)  |   |  |
| <input type="checkbox"/> Response to Missing Part/<br>Incomplete Application   |   |  |
| <input type="checkbox"/> Response to Missing Parts   |   |  |

REMARKS

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Or Individual name	Kevin M. Faulkner	Registration No.	45,427
Signature			
Date			

## CERTIFICATE OF MAILING

I hereby certify having information and a reasonable basis for belief that this correspondence will be deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:

September 16, 2004

Typed or printed name	Tammy L. Hodges	Date	9/16/2004
Signature			



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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/761,101 Confirmation No. 4294  
Applicant : Donald R. Loveday  
Filed : 01/20/2004  
Art Unit : 1713  
Examiner : Cheung, William K.

Docket No. : 1999U026.RE.US  
Customer No. : 25959

Date : September 16, 2004

**Commissioner for Patents**  
P.O. Box 1450  
Alexandria VA 22313-1450

**COMMUNICATION**

Sir:

In response to the obviousness-type double patenting rejections, and the provisional obviousness-type double patenting rejections, of September 2, 2004, the Applicant files two terminal disclaimers herewith.

The Applicant also wishes to make the Examiner aware of U.S.S.N. 10/634,474, a copending Continuation Application claiming priority to the same parent as the present Application. The Applicant includes this Application in the terminal disclaimer filed herewith.

The Applicant agrees that the present claims 1, 3-12, 15, and 17 to 48 are patentable over the art of record, and in particular, art not present before the Examiner in the parent case such as JP 10-330412. Another English language translation of that document is attached again to ensure receipt by the Examiner, as only the Japanese publication ("Kokai") was published.

It is submitted that the case is in condition for allowance. The Applicant invites the Examiner to telephone the undersigned attorney if there are any other issues outstanding which have not been presented to the Examiner's satisfaction.

September 16, 2004  
Date

Respectfully submitted,

Kevin M. Faulkner  
Kevin M. Faulkner  
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